Docket No. M-1107 US.

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TYCO HEALTHCARE KENDALL

DEC 0 7 2006

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Applicants:

Lantz, Loren

Examiner:

Rene T. Towa

Serial No.:

10/538,543

Art Unit:

3736

10 Filed:

June 10, 2005

Confirmation No.: 3681

For:

TYMPANIC THERMOMETER WITH EJECTION MECHANISM

CERTIFICATE OF FAXING

I hereby certify that this non-Final response to the Office Action for a total of pages is being faxed to the USPTO to (571) 273-8300 on the date shown: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

12/7/06

15

NON-FINAL REJECTION

MAIL STOP AMENDMENT 20 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Examiner Towa:

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In response to your Office Action dated 25 Sept. 2006, please consider the following remarks starting at page 8. The amended claims start on page 2. Applicant petitions for any extension of time that may be required to avoid abandoning this case, and any required fee, for such extensions, is to be charged to Deposit Account No.

30 190,254.